

ASSEMBLY BILL

No. 865

Introduced by Assembly Member Eggman

February 21, 2013

An act to amend Sections 707, 736, and 770 of the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 865, as introduced, Eggman. Yacht and Ship Brokers Act: licensing.

Existing law requires the Department of Boating and Waterways to publish or cause to be published on or before July 1 of each year a directory of licensed brokers and salespersons and to charge and collect the fees prescribed by the Yacht and Ship Brokers Act in accordance with a specified schedule. Existing law authorizes the department to make rules and regulations to carry out the provisions of the act.

This bill would require the department to post the directory on its Internet Web site. The bill would delete the statutory fee schedule and would instead require the department to adopt regulations setting forth the fees to be charged and collected under the act for, among other things, exams, licensing, renewals, and other services provided by the department under the act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 707 of the Harbors and Navigation Code
2 is amended to read:

1 707. ~~(a) The department shall publish or cause to be published~~
2 ~~on or before July 1st of each year a directory of licensed brokers~~
3 ~~and salesmen salespersons and shall post the directory on its~~
4 ~~Internet Web site. The department may publish such additional~~
5 ~~information as it deems expedient and may also issue a periodical~~
6 ~~bulletin concerning affairs arising under the administration of this~~
7 ~~article.~~

8 ~~The department may also issue a periodical bulletin concerning~~
9 ~~affairs arising under the administration of this article.~~

10 ~~(b) The department shall submit to the Governor a full and true~~
11 ~~report of its activities under this article, including a complete~~
12 ~~statement of receipts and expenditures during the preceding two~~
13 ~~years. This report shall be a part of the biennial report of the~~
14 ~~department.~~

15 SEC. 2. Section 736 of the Harbors and Navigation Code is
16 amended to read:

17 736. ~~(a) The department shall charge and collect the fees~~
18 ~~prescribed by this article in accordance with the following~~
19 ~~schedule: adopt regulations setting forth the fees to be charged~~
20 ~~and collected under this article.~~

21 ~~(a) Two hundred dollars (\$200) for each original broker's~~
22 ~~license.~~

23 ~~(b) Seventy-five dollars (\$75) per year for the renewal of an~~
24 ~~original broker's license.~~

25 ~~(c) One hundred dollars (\$100) for each original salesperson's~~
26 ~~license.~~

27 ~~(d) Fifty dollars (\$50) per year for the renewal of an original~~
28 ~~salesperson's license.~~

29 ~~(e) Twenty-five dollars (\$25) for a salesperson's temporary~~
30 ~~license.~~

31 ~~(f) Twenty-five dollars (\$25) for each license obtained by a~~
32 ~~broker for a branch office and for each renewal thereof.~~

33 ~~(g) Ten dollars (\$10) for each transfer of a salesperson's license~~
34 ~~for each change of employment.~~

35 ~~(h) Ten dollars (\$10) for each duplicate license.~~

36 ~~(i) Ten dollars (\$10) for each substitution of a name in the~~
37 ~~license of a corporation or a partnership.~~

38 ~~(j) Ten dollars (\$10) for the granting of each certificate of~~
39 ~~convenience under Section 727.~~

40 ~~(k) Twenty-five dollars (\$25) for each examination.~~

1 ~~(f)~~

2 (b) A criminal records investigation fee; *shall be* collected for
3 both a salesperson's and broker's license; in an amount determined
4 by the Department of Justice, or by any other state or federal
5 custodian of criminal records from which the department has
6 requested information concerning an applicant's criminal record,
7 not to exceed the amount needed to reimburse the department for
8 conducting the criminal records investigation.

9 SEC. 3. Section 770 of the Harbors and Navigation Code is
10 amended to read:

11 770. The department may make rules and regulations to carry
12 out the provisions of this article, *including adopting a schedule to*
13 *establish reasonable fees for exams, licensing, renewals, and other*
14 *services provided by the department under this article.*

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